

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

SEAN SWAIN,

Plaintiff,

V.

ANNETTE CHAMBERS-SMITH,
*Director, Ohio Department of
Rehabilitation and Corrections,*

Defendant.

[illegible]

Case No. 2: 23-cv-2809

Judge Algenon L. Marbley

Magistrate Judge Chelsey M. Vascura

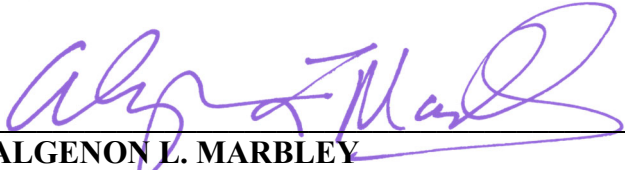
ORDER

This matter comes before this Court on the Magistrate Judge’s Report and Recommendation (“R&R”) (ECF No. 35) that Plaintiff Sean Swain’s Motion for Sanctions (ECF No. 31) be granted. Specifically, Magistrate Judge Vascura found that Defendant Ohio Department of Rehabilitation and Corrections (“ODRC”) violated the Court’s prior orders, issued on December 19, 2023 (ECF No. 9) and April 12, 2024 (ECF No. 15), instructing ODRC to treat mail from this Court addressed to Mr. Swain as legal mail. The R&R recommended that ODRC be held in contempt for violating this Court’s orders and further be ordered to pay Plaintiff \$100.00 as a sanction. (ECF No. 35). The R&R advised that any objections must be filed by November 5, 2024, and cautioned that failure to object will result in a waiver of the right to have the District Judge review the R&R. (*Id.*).

No objections to the R&R have been filed, and the time for making any objections has passed. Having reviewed the R&R, this Court agrees with the analysis therein and **ADOPTS** the R&R in its entirety. (ECF No. 35). Mr. Swain's Motion for Sanctions (ECF No. 31) is **GRANTED**.

This Court holds Defendant ODRC in contempt for failure to obey the Court's orders and **ORDERS** Defendant ODRC to pay Mr. Swain \$100.00 as a sanction.

IT IS SO ORDERED.



ALGENON L. MARBLEY
UNITED STATES DISTRICT JUDGE

DATED: December 3, 2024